

PPM 490

POST-EMPLOYMENT SERVICES

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GENERAL REQUIREMENTS**490.01 PURPOSE OF POST-EMPLOYMENT SERVICES**

The purpose of post-employment services is to provide additional vocational rehabilitation services subsequent to the achievement of a planned employment outcome and closure of the individual's record of services as successfully rehabilitated, to the extent that limited, additional services are necessary for the individual to maintain, reestablish, or advance in an employment outcome already achieved.

[REQUIRED PRACTICE. Post-employment services are provided to help assure that the benefits obtained from a successfully completed vocational rehabilitation effort are preserved, and that the employment outcome achieved by the individual continues to be consistent with an individual's vocational strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.]

490.02 QUALIFYING INDIVIDUALS

(1) In order to qualify for post-employment services provision, an individual must be a prior Vocational Rehabilitation Program participant:

(A) who has achieved an employment outcome and been successfully rehabilitated;

(B) who requires additional vocational rehabilitation services in order to maintain, regain, or advance in the employment outcome previously achieved; and

(C) for whom the services needed to maintain, reestablish, or advance in employment are of limited scope and duration, and are consistent with the previously completed Individualized Plan for Employment (IPE).

[REQUIRED PRACTICE. Post-employment services cannot be provided to any individual whose previous record of services was closed as other than a successful rehabilitation (to status 26). Available services are limited to those services which are essential to: (1) job retention, where the job is in jeopardy; (2) reemployment, where the job has been lost; or (3) advancement in employment, where advancement opportunities are available to the individual and have been specifically identified. The services needed must be consistent with the employment outcome and services provided under the previously completed IPE, and must be limited in scope and duration

to short-term interventions. Vocational rehabilitation services cannot be provided under the post-employment authority if the individual has not been rehabilitated, or the services needed are for purposes other than job retention, reemployment, or job advancement related to the job previously attained, or will require a substantial or lengthy new rehabilitation effort. In all such instances, a new eligibility assessment must be completed and, if the individual is determined to be eligible, the services required must be provided under a new IPE.]

(2) A redetermination of eligibility is not required for qualifying individuals as a condition for post-employment service provision.

[REQUIRED PRACTICE. Post-employment services are provided as an extension of the previous IPE, and qualifying individuals continue to be eligible under the previous eligibility determination. No prior program participant who otherwise qualifies under the provisions of this chapter can be denied post-employment services based on any determination that he or she is currently ineligible or is no longer eligible for vocational rehabilitation services.]

NATURE AND SCOPE OF POST-EMPLOYMENT SERVICES

490.03 GENERAL NATURE AND SCOPE OF SERVICE PROVISION

As appropriate to the vocational rehabilitation needs of each individual and in accordance with the provisions of this chapter, post-employment services consist of any single vocational rehabilitation service or combination of services necessary for an individual to maintain, regain, or advance in an employment outcome achieved under a previously completed Individualized Plan for Employment (IPE) and a successfully closed record of services.

490.04 MAINTENANCE OF EMPLOYMENT

Post-employment services can be provided as required for an individual to maintain the employment outcome identified as having been achieved in the final plan amendment (FPA) of the Individualized Plan for Employment (IPE) last completed, when the employment outcome achieved is in jeopardy.

[REQUIRED PRACTICE. The provision of post-employment services to maintain current employment is appropriate when: (1) job retention is in jeopardy due to the individual's disability (such as when a progression or exacerbation of a previously identified physical or mental impairment threatens job loss); (2) limited, additional

vocational rehabilitation services to address the progression or exacerbation can accomplish job retention and stabilization; and (3) the services required to effect job retention cannot be met through employer-provided health insurance or other benefits, private health insurance, or other resources.]

490.05 REEMPLOYMENT

Post-employment services can be provided as required for an individual to regain the employment outcome previously achieved, as identified in the final plan amendment (FPA) of the Individualized Plan for Employment (IPE) last completed, when the employment outcome achieved has been lost.

[REQUIRED PRACTICE. The provision of post-employment services to regain employment is appropriate when: (1) the job secured (at the time of the determination that the individual had achieved an employment outcome and closure of the record of services) has been lost; (2) limited, additional job placement services can result in the individual's reemployment in a comparable job; and (3) the services required to secure reemployment cannot be met by the individual independently. In such instances, the planned post-employment outcome must be work of the same or a closely related type with comparable skill requirements, responsibilities, and authority as the former job, but may or may not be with the same employer. Post-employment services provided for reemployment purposes should be initiated as soon after job loss as possible, to prevent deterioration of work skills, a prolonged period of unemployment on the individual's resume, and other undesirable consequences affecting current or future employability.]

490.06 ADVANCEMENT IN EMPLOYMENT

Post-employment services can be provided as required for an individual to advance in employment when the advancement opportunity is to a job closely related to the existing job and is more nearly appropriate to the individual's current strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice than the job presently held.

[REQUIRED PRACTICE. The provision of post-employment services to advance in employment is appropriate when limited, additional services are necessary for individuals who have been rehabilitated to avail themselves of promotional opportunities on the job, to a higher position on the same career ladder. The promotional opportunities included may be with the same or a different employer engaging in the same type of business and offering the same or similar types of work; however, as per the limitations specified in section 490.14(1)(E) of this chapter, post-employment

services for job advancement purposes are not available to achieve a career change to employment involving an entirely different type of work.]

CONDITIONS AND LIMITATIONS OF SERVICE PROVISION

490.07 GENERAL REQUIREMENTS

Vocational Rehabilitation Program post-employment services can be provided only:

- (1) for vocationally relevant and necessary services required for job retention, reemployment, or advancement in employment;
- (2) in accordance with the provisions of a current Individualized Plan for Employment (IPE) or plan amendment; and
- (3) with the full and prior approval and authorization of the Vocational Rehabilitation Counselor.

[REQUIRED PRACTICE. If needed post-employment services were not identified prior to closure of the record of services and reflected in the final plan amendment (FPA), an amended IPE which meets all program IPE requirements must be developed and implemented for post-employment services provision. Costs incurred by an individual for services obtained without the prior knowledge, approval, and authorization of the Vocational Rehabilitation Counselor will not be paid for or reimbursed by the Vocational Rehabilitation Program.]

490.08 SPECIFIC SERVICE CONDITIONS AND LIMITATIONS

Each vocational rehabilitation service provided under a post-employment program is subject to the same program policies that apply to the provision of the service prior to rehabilitation, including, but not limited to, all policies regarding the nature, scope, and duration of service provision, the qualifications and selection of service providers, and fiscal requirements and limitations pertaining to the particular service.

490.09 FISCAL REQUIREMENTS AND LIMITATIONS

For specific fiscal requirements and limitations, see the applicable policies for each specific service, as appropriate.

490.10 POST-EMPLOYMENT SERVICES FOR INDIVIDUALS IN SUPPORTED EMPLOYMENT

Post-employment services can be provided for individuals in supported employment only if, in addition to the requirements specified in section 490.02 of this chapter:

- (1) the individual has been determined to be an individual with a most significant disability;
- (2) the individual has previously been successfully rehabilitated and has achieved a supported employment outcome, and post-employment services are needed after the individual's transition to extended services;
- (3) the specific vocational rehabilitation services needed are required for the individual to maintain or advance on the job; and
- (4) the services required cannot be provided by an extended services provider.

490.11 INITIATION AND DURATION OF POST-EMPLOYMENT SERVICES PROGRAMS**(1) TIME LIMITATIONS FOR INITIATION**

No minimum or maximum amount of time is required following rehabilitation before post-employment services can be provided, and a post-employment services program may be initiated for qualifying individuals as soon or as long after closure of the record of services that additional services are appropriate and necessary, consistent with the provisions of this chapter.

(2) MULTIPLE POST-EMPLOYMENT SERVICES PROGRAMS

There is no limitation upon the number of times an individual may request or be furnished services under a post-employment services program, provided that the requirements for post-employment services provision are satisfied each time that a post-employment program is initiated, consistent with the provisions of this chapter.

(3) DURATION OF POST-EMPLOYMENT SERVICES

Each post-employment services program is intended only as a limited, short-term intervention to secure job retention, reemployment, or advancement in employment, and the provision of post-employment services on a long-term or continuing basis is prohibited.

[REQUIRED PRACTICE. While the duration of each post-employment services program must be individually determined based upon the vocational rehabilitation needs of each individual and the scope and duration of services necessary to maintain, reestablish, or advance in employment, post-employment services are not intended, and cannot be furnished, as long-term or ongoing job supports.]

490.12 TERMINATION OF POST-EMPLOYMENT SERVICES

Post-employment services must be terminated upon:

- (1) satisfactory achievement of job maintenance or reemployment, or the successful accomplishment of advancement in employment; or
- (2) a determination that further post-employment services cannot reasonably be expected to result in job maintenance, reemployment, or advancement.

490.13 INITIATION OF A NEW REHABILITATION EFFORT IN LIEU OF POST-EMPLOYMENT SERVICES PROVISION

- (1) Each decision regarding whether to provide post-employment services or to initiate a new vocational rehabilitation effort must be made on an individualized basis, after consideration of:

(A) the continued appropriateness of the employment outcome previously achieved to the vocational strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual; and

(B) the provisions of this chapter, with respect to the intent, nature, scope, and duration of the additional services needed. However,

(2) a new eligibility assessment must be completed and, if the individual is determined to be eligible, the services required must be provided under a new IPE if:

(A) the planned vocational outcome for which job retention, reemployment, or advancement is required is substantially different from the employment outcome achieved under the previous IPE;

(B) the services needed are to address a physical or mental impairment or impediment to employment not addressed under the previous IPE; or

(C) the services needed to achieve job retention, reemployment, or advancement require a complex, comprehensive, or lengthy rehabilitation effort.

PROHIBITED USES

490.14 PROHIBITED USES OF POST-EMPLOYMENT SERVICES

(1) Post-employment services are not available:

(A) for any individual who has not previously been a Vocational Rehabilitation Program participant determined to have achieved an employment outcome and to have been successfully rehabilitated;

(B) for purposes of job retention, when the individual's current employment is not in jeopardy;

(C) for purposes of reemployment, when the individual's job has not been terminated;

(D) for purposes of advancement, when no present opportunity for job advancement has been identified that is more consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice than the job currently held, or when no specific, long-term advantage of increased work hours, earnings, or benefits is to be gained;

(E) to retain, regain, or advance in employment that is substantially different from the employment outcome achieved under the previous IPE and amendments, including making a career change to a new and different occupation;

(F) which require a complex, comprehensive, or lengthy vocational rehabilitation effort;

(G) to obtain a second or supplementary job;

(H) if the individual's disability is rapidly progressive or terminal; or

(I) to provide a supporting service (maintenance, transportation, services to family members, or personal assistance services), where—

(1) the supporting services are the only services being provided, or

(2) the need for the supporting service represents an extended, ongoing support for employment;

[REQUIRED PRACTICE. Supporting services can be provided only in conjunction with, and as a necessary support for, one or more specifically identified primary (non-supporting) services concurrently provided, and cannot be provided in isolation at any time, whether prior to rehabilitation and closure of the record of services or subsequently, as post-employment services. The provision of transportation is permissible, for example, as a necessary support for job seeking activities, but must be discontinued after placement has been achieved, and is disallowed to meet the long-term or ongoing need for transportation to and from the job site. If a supporting service is provided as a post-employment service, the need for the supporting service and its supportive role relative to substantial post-employment primary services also provided must be clearly identified. Once the primary services supported have been completed or terminated, the supporting services must also be discontinued.]

(2) Physical and mental restoration services are not available as post-employment services to provide health maintenance on a comprehensive or continuing basis.

[REQUIRED PRACTICE. While ongoing health monitoring and maintenance (including, but not limited to, disability-related and life sustaining medications, the maintenance, repair, and replacement of prosthetic, orthotic, and other medical devices, and long-term mental health services) may be necessary prerequisites to successful job

performance and long-term job retention, the Vocational Rehabilitation Program is not a medical insurance program, and it is not the purpose of vocational rehabilitation to provide long-term, ongoing medical services on a comprehensive or continuing basis.]

(3) Post-employment services are not available to address immediate or emergency care needs for acute medical conditions.

[REQUIRED PRACTICE. Physical and mental restoration services for acute conditions can be provided only for conditions which arise during the course of rehabilitation program participation as a consequence of the provision of other vocational rehabilitation services and which, if not addressed, would jeopardize the assessment of eligibility and vocational rehabilitation needs or the achievement of an employment outcome. The provision of physical and mental restoration services for acute conditions is, therefore, limited to the period of rehabilitation prior to a determination that the individual has achieved an employment outcome and closure of the record of services, and is not available as a post-employment service.]

POST-EMPLOYMENT SERVICES PROVISION

490.15 POST-EMPLOYMENT SERVICES STATUSES

(1) Post-employment services are provided in status 32, and the case is moved from status 26 into status 32 as of the date on which the services authorized as post-employment services begin.

(2) Exit from post-employment services programs is from status 32 to status 33, which is utilized for all closures from post-employment services, whether or not the job retention, reemployment, or advancement effort is successful.

RECORD OF SERVICES DOCUMENTATION REQUIREMENTS

490.16 RECORD OF SERVICES CONTENT REQUIREMENTS

(1) GENERAL DOCUMENTATION REQUIREMENTS

There must be sufficient documentation in the record of services case notes to justify the appropriateness of post-employment services and to explain why services are necessary for the individual to maintain, reenter, or advance in employment. Post-employment service documentation must be added to the previous record of services, and separate fiscal records

must be maintained. When post-employment services provision is being considered, information must be entered into the record regarding the present employment situation and any factors must be cited which are of significance to the determination of whether to provide post-employment services or to address the vocational rehabilitation needs of the individual by initiating a new rehabilitation effort. When entering this information into the record of services, duplication of existing information is to be avoided, except for cross-referencing citations to pertinent information previously entered.

(2) SPECIFIC DOCUMENTATION REQUIREMENTS

When post-employment services are provided, the record of services for the individual must include:

(A) information sufficient to establish that the individual has qualified for post-employment services in accordance with the requirements of this chapter;

(B) a statement of the purpose of the post-employment services program for the individual (i.e., whether services are being provided to maintain, regain, or advance in employment) consistent with sections 490.03 through 490.06 of this chapter;

(C) the Individualized Plan for Employment (IPE) or IPE amendment for post-employment services specified by section 490.07 of this chapter;

(D) information sufficient to determine that the post-employment services provided have been furnished consistent with the conditions and limitations indicated in sections 490.07 through and including 490.14 of this chapter;

(E) any other documentation required by program policy and practice relative to the provision of any particular service;

(F) a description of the outcome of post-employment services achieved (i.e., whether employment was maintained or regained or advancement in employment accomplished, or not); and

(G) all fiscal documentation pertaining to the post-employment services provided, including all authorizations, claim-vouchers, and related billings or paid receipts required to process payment.

490.17 INFORMATION TECHNOLOGY SYSTEM COMPLIANCE

All required information, data, and documents must be incorporated and maintained in the record of services for the individual in a manner consistent with Indiana Rehabilitation Information System (IRIS) requirements.

[AUTHORITY: Federal regulations 34 CFR §§361.5(b)(42); 361.48(o); 361.50; 361.51; 361.52; 361.53; 436.54; and 361.56.]

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